



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

:Confirmation No.: 3765

Gebeyehu et al.

: Group Art Unit: 1631

Serial No.: 09/326,106

: Examiner: Marschel, A.H.

Filed: June 4, 1999

For: NOVEL REAGENTS FOR  
INTRACELLULAR DELIVERY OF  
MACROMOLECULES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231	
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Further to the Information Disclosure Statements filed in the above-referenced case on September 28, 1999 and July 11, 2000, the Examiner is respectfully requested to consider the additional references provided herewith which may be considered relevant. For the Examiner's convenience, the references are listed on the attached Patent and Trademark Office Form PTO - 1449 which has five pages.

This submission is made concurrently with the filing of a Request for Continued Prosecution in the above-referenced application in which a Final Office Action has been issued by the Examiner. This submission is made under 37 CFR 1.97 (b) 4 and as such that no fee payment is required for its submission.

References listed on pages 4 and 5 of the attached 1449 Form were submitted by Applicants in U.S. serial number 08/195,866 filed February 11, 1994, from which the above-

referenced application takes priority under 35 U.S.C. §120. It is believed unnecessary under 37 C.F.R. §1.98(a) to submit copies of these previously submitted or cited items. Copies of other references listed on the 1449 Form are submitted herewith.

Where the month of a reference is not listed, the year of the publication is believed to be sufficient to allow a determination of the difference in the effective filing date of the above-referenced application and the publication date of the reference.

The Examiner's attention is also drawn to the following commonly-owned, unpublished patent applications which may be considered to contain relevant subject matter: USSN 08/450,555, filed May 25, 1995; 09/438,365, filed November 12, 1999, USSN 09/937,837, filed January 7, 2002; USSN 10/200,879, filed July 23, 2002; and USSN 10/269,522, filed on July 28, 2003. These unpublished applications are not listed on Form 1449. USSN 09/937,837 is a national stage of WO00/58488 and believed to be identical in content to the published PCT application. A copy of 09/937,837 is not provided. USSN 10/269,522 is a continuation of USSN 09/438,365. Only a copy of USSN 09/438,365 is submitted. Copies of the remaining applications are submitted herewith.

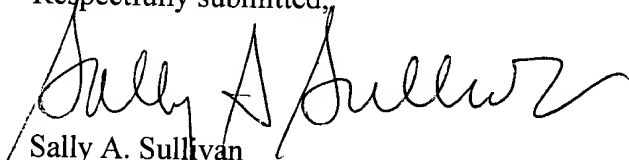
The following published or issued U.S. patent applications listed in Form 1449 are commonly owned with the above-referenced application:: US 5,334,761, US 5,578,475, US 5,627,159, US 5,674,908, US 5,736,392, US 5,834,439, US 6,020,202, US 6,051,429, US 6,110,916, US 6,376,248, US 6,399,663, US20020077305, US20020086849; US20020156049, and US20030069173. Copies of these references are submitted herewith.

The following concise explanation of the relevance of FR 1,567,214 is provided because the document is not available in English. FR 1,567,214 relates to a detergent containing a cationic composition which is reported to be useful for washing textiles in mechanical washing machines. The relevance of the reference to the above-referenced application is believed to be further illustrated by the chemical structures shown throughout the reference.

References known to Applicants have been listed herein. That information is cited in a spirit of forthrightness and cooperation to enable the applicants to obtain that measure of protection for the invention to which there is entitlement. No representation is made that the listed art actually qualifies as prior art under the patent statute and the listed of the references in Form 1449 is not intended as an admission that the listed art is prior art. No representation is made that the applicants know of the best art.

As noted above, this submission does not require the payment of any fees. If this is incorrect, please deduct the appropriate fee from deposit account 07-1969.

Respectfully submitted,

  
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SAS:lem:September 2, 2003

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ATTY DOCKET NO. 45,93A

SERIAL NO. 09/326,106

FILING DATE June 4, 1999

APPLICANT Gebeyehu

GROUP

## U.S. PATENT DOCUMENTS

Exmr. Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	6,399,663	06/04/02	Haces et al.	514	642	
	6,387,395	05/14/02	Eppstein et al.	424	450	
	6,376,248	04/23/02	Hawley-Nelson et al.	435	458	
	6,214,804	04/10/01	Felgner et al.	514	44	
	6,110,916	08/29/00	Haces et al.	514	252.11	
	6,110,662	08/29/00	Foung et al.	435	5	
	6,086,913	07/11/00	Tam et al.	424	450	
	6,051,429	04/18/00	Hawley-Nelson et al.	435	458	
	6,020,202	02/01/00	Jessee	435	458	
	5,948,925	09/07/99	Keynes et al.	552	540	
	5,948,767	09/07/99	Scheule et al.	514	44	
	5,935,936	08/10/99	Fasbender et al.	514	44	
	5,908,777	06/01/99	Lee et al.	435	320	
	5,908,635	06/01/99	Thierry	424	450	
	5,906,922	05/25/99	Whittaker et al.	435	69.1	
	5,869,606	02/09/99	Whittaker	530	345	
	5,854,224	12/29/98	Lockett et al.	514	44	
	5,840,710	11/24/98	Lee et al.	514	44	
	5,834,439	11/10/98	Haces et al.	514	42	
	5,830,878	11/03/98	Gorman et al.	514	44	
	5,830,430	11/03/98	Unger et al.	424	1.21	
	5,827,703	10/27/98	Debs et al.	435	172.3	
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	5,744,335	04/28/98	Wolff et al.	435	172.3	
	5,736,392	04/07/98	Hawley-Nelson et al.	435	320.1	
	5,719,131	02/17/98	Harris et al.	514	44	
	5,703,055	12/30/97	Felgner et al.	514	44	
	5,693,509	12/02/97	Cotten et al.	435	172.3	
	5,674,908	10/07/97	Haces et al.	514	642	
	5,650,096	07/22/97	Harris et al.	252	357	
	5,627,159	05/06/97	Shih et al.	514	44	
	5,595,897	01/21/97	Midoux et al.	435	172.3	
	5,589,466	12/31/96	Felgner et al.	514	44	

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form PTO-1449		ATTY DOCKET NO. 45-93A		SERIAL NO. 09/326,106	FILING DATE June 4, 1999
APPLICANT Gebeyehu et al.				GROUP	

	5,583,198	12/10/96	Whittaker	530	345	
	5,578,475	07/12/94	Jessee	435	172.3	
	5,550,289	08/27/96	Eppstein et al.	564	293	
	5,545,412	08/13/96	Eppstein et al.	424	450	
	5,512,291	05/28/96	Curiel et al.	530	391.7	
	5,459,127	10/17/95	Felgner et al.	514	7	
	5,455,335	10/03/95	Kahne et al.	536	5	
	5,334,761	08/02/94	Gebeyehu et al.	564	197	
	5,283,185	02/01/94	Epand et al.	435	172.3	
	5,279,833	01/18/94	Rose	424	450	
	5,165,925	11/24/92	Leong	424	88	
	4,235,871	11/25/80	Papahadjopoulos et al.	424	19	
	3,152,188	10/06/64	Kirkpatrick et al.	260	584	
	2,901,461	08/25/59	Auerbach et al.	260	47	
	2003-0069173	04/10/03	Hawley-Nelson et al.	514	8	
	2002-0156049	10/24/02	Haces et al.	514	79	
	2002-0086849	07/04/02	Gebeyehu et al.	514	44	
	2002-0077305	06/20/02	Jessee et al.	514	44	

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Document Number	Date	Country	Class	Subclass	Translation Yes/No
WO 02/34879	05/02/02	PCT	C12N		
WO 00/27795	05/18/00	PCT	C07C 211/64		
WO 00/58488	10/05/00	PCT	C12N 15/87		
WO 99/29712	06/17/99	PCT	C07K 5/02		
WO 99/02190	01/21/99	PCT	A61K 48/00		
WO 98/40502	09/17/98	PCT	C12N 15/64		
WO 98/29541	07/09/98	PCT	C12N 15/00		
WO 98/02190	01/22/98	PCT	A61K 47/48		
WO 97/42819	11/20/97	PCT	A01N 37/18		
WO 96/40961	12/19/96	PCT	C12N 15/88		
WO 95/02698	01/26/95	PCT	C12N 15/88		
WO 95/17373	06/29/95	PCT	C07C 211/63		
WO 94/27435	12/08/94	PCT	A01N 25/26		
WO 91/17424	11/14/91	PCT	G01N 21/00		
WO 90/11092	10/04/90	PCT	A61K 48/00		
0 846 680 A1	06/10/98	EP	C07C 279/12		
1,567,214	05/16/69	FR	C11D		

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ATTY DCKET NO. 45-93A	SERIAL NO. 09/326,106	FILING DATE June 4, 1999
APPLICANT Gebeyehu		GROUP

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Form PTO-1449	ATTY DOCKET NO. 445-93A		SERIAL NO. 09/326,106	FILING DATE June 4, 1999
APPLICANT Gebeyehu			GROUP	

## FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation Yes/No
WO 93/14778	08/05/93	PCT	A61K 37/00		
WO 93/05162	03/18/93	PCT	C12N 15/63		
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ATTY DOCKET NO. 45-93A	SERIAL NO. 09/326,106	FILING DATE June 4, 1999
APPLICANT Gebeyehu		GROUP

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